

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1761**

PATENT
Attorney Docket No. 209684

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vermin et al.

Application No. 09/787,004

Art Unit: 1761

Examiner: Leslie Wong

Filed: May 23, 2001

For: DAIRY PRODUCT AND METHOD FOR PREPARING SAME

**PENDING CLAIMS AFTER AMENDMENTS
MADE IN RESPONSE TO OFFICE ACTION DATED OCTOBER 18, 2002**

1. A method for preparing a dairy product comprising the steps of:
 - (a) adding a lactose-negative, food-technologically acceptable micro-organism to a medium comprising milk or a milk product;
 - (b) ripening said micro-organism under aerobic conditions; and
 - (c) bringing the resulting product under anaerobic conditions such as to have aromas of the ripening strain formed.
2. The method according to claim 1, in which the microorganism is a yeast.
3. The method according to claim 2, in which the yeast originates from one of the following set of strains: *Candida zelanoides*, *Debaryomyces hansenii* spp *hansenii*, *Saccharomyces cerevisiae*, *Candida robusta*, or *Zygosaccharomyces rouxii*.
5. The method according to claim 1, in which the medium is treated under anaerobic conditions with a food-technologically acceptable lactic acid bacterium.
6. The method according to claim 1 in which the dairy product is sterilized.

7. A dairy product prepared by treating a medium comprising milk or a milk product under aerobic conditions with a lactose-negative, food-technologically acceptable microorganism to render a treated medium comprising milk or a milk product; and maintaining the treated medium comprising milk or a milk product under anaerobic conditions.

8. A method for producing a food comprising a dairy product comprising: introducing a lactose-negative, food-technologically acceptable microorganism to a medium comprising milk or a milk product, thereby imparting an aroma to the dairy product.

9. The method according to claim 7 further comprising preparing an aromatized food product including the dairy product.

10. The method according to claim 1, in which the microorganism is a bacterium.

11. The method of claim 2 wherein the dairy product is sterilized.

12. The method of claim 3 wherein the dairy product is sterilized.

13. The method of claim 4 wherein the dairy product is sterilized.

14. The method of claim 5 wherein the dairy product is sterilized.

15. The dairy product according to claim 7, in which the microorganism is a yeast.

16. The dairy product according to claim 15, in which the yeast originates from one of the following set of strains: *Candida zelanoides*, *Debaryomyces hansenii* spp *hansenii*, *Saccharomyces cerevisiae*, *Candida robusta*, or *Zygosaccharomyces rouxii*.

17. The dairy product according to claim 7, in which the microorganism is a bacterium.

18. The method according to claim 17, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus*, *Arthrobacter*, *Corynebacterium* or *Arthrobacter* spp.

19. The method according to claim 7, in which the medium is treated under anaerobic conditions with a food-technologically acceptable lactic acid bacterium.

20. The method according to claim 7 in which the dairy product is sterilized.

21. The method according to claim 10, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus*, *Arthrobacter*, *Corynebacterium* or *Arthrobacter ssp.*